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APPLICATION N	0.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.		
09/761,766		01/18/2001	James L. Richards	1659.0610001	5935		
26694	7590	06/13/2005		EXAMINER			
VENABLE LLP				PHU, PHU	PHU, PHUONG M		
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Please find below and/or attached an Office communication concerning this application or proceeding.

closed in accordance with the practice under <i>Ex parte Quayle</i> , 1935 C.D. 11, 453 O.G. 213. Disposition of Claims 4)			. /					
Examiner		Application No.	- OK	Applicant(s)				
Private Privat		09/761,766		RICHARDS, JAMES L.				
The MAILING DATE of this communication appears on the cover sheet with the correspondence address - Period for Reply A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 1 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION. Extensions of time may be available under the provisions of 37 CFR 1.13(a). In no event, however, may a reply be timely flied after SX (5) MONTHS from the mailing date of this communication of 37 CFR 1.13(a). In no event, however, may a reply be timely flied after SX (6) MONTHS from the mailing date of this communication reply within the statistic principle of the communication of the SX (6) MONTHS from the mailing date of the communication reply unlike the statistic principle of the SX (6) MONTHS from the mailing date of the communication of the SX (7) MONTHS from the mailing date of the communication of the SX (7) MONTHS from the provision of the seminication of the SX (7) MONTHS from the mailing date of the communication, even if timely filled, may reduce any events placent sim adjustment. See 37 CFR 1.704(b). Status 1) □ Responsive to communication(s) filled on O6 May 2005. 2a) □ This action is FINAL. 2b) □ This action is non-final. 3) □ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213. Disposition of Claims 4) □ Claim(s) 1-47 is/are pending in the application. 4a) Of the above claim(s) 1-20 and 25-41 is/are withdrawn from consideration. 5) □ Claim(s) is/are allowed. 6) □ Claim(s) is/are allowed. 6) □ Claim(s) is/are allowed. 7) □ Claim(s) 21-24.42-47 are subject to restriction and/or election requirement. Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a). Replacement frawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.21(c) □ The ordary of the drawing sheet(s) including the correction is required if the drawing(s) is	Office Action Summary	Examiner		Art Unit				
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3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) 5) Notice of Informal Patent Application (PTO-152)								
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Paper No(s)/Mail Date 6) L. Other:	 Information Disclosure Statement(s) (PTO-1449 or F Paper No(s)/Mail Date 			atent Application (FTO-152)				

DETAILED ACTION

This Office Action is responsive to the Election filed on 5/6/05. Accordingly, claims 21-24 and 42-47 have been selected, and claims 1-20 and 25-41 are withdrawn from consideration.

Election/Restrictions

1. This application contains claims directed to the following patentably distinct species of the claimed invention:

Group I: claims 21, 22 and 42-44, drawn to an invention illustrated by figures 12 and 15;

Group II: claims 23, 24 and 45-47, drawn to an invention illustrated by figures 24 and 29.

Applicant is required under 35 U.S.C. 121 to elect a single disclosed species for prosecution on the merits to which the claims shall be restricted if no generic claim is finally held to be allowable. Currently, no claim is generic.

Applicant is advised that a reply to this requirement must include an identification of the species that is elected consonant with this requirement, and a listing of all claims readable thereon, including any claims subsequently added. An argument that a claim is allowable or that all claims are generic is considered nonresponsive unless accompanied by an election.

Upon the allowance of a generic claim, applicant will be entitled to consideration of claims to additional species which are written in dependent form or otherwise include all the limitations of an allowed generic claim as provided by 37 CFR 1.141. If claims are added after the election, applicant must indicate which are readable upon the elected species. MPEP § 809.02(a).

Should applicant traverse on the ground that the species are not patentably distinct, applicant should submit evidence or identify such evidence now of record showing the species to

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be obvious variants or clearly admit on the record that this is the case. In either instance, if the

examiner finds one of the inventions unpatentable over the prior art, the evidence or admission

may be used in a rejection under 35 U.S.C. 103(a) of the other invention.

2. A telephone call was made to Mr. Robert Babayi on 05/23/05 to request an oral election

to the above restriction requirement, but did not result in an election being made.

Applicant is advised that the reply to this requirement to be complete must include an

election of the invention to be examined even though the requirement be traversed (37 CFR

1.143).

Any inquiry concerning this communication or earlier communications from the 3.

examiner should be directed to Phuong Phu whose telephone number is 571-272-3009. The

examiner can normally be reached on M-F (6:30-2:30).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Mohammad Ghayour can be reached on 571-272-3021. The fax phone number for

the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent

Application Information Retrieval (PAIR) system. Status information for published applications

may be obtained from either Private PAIR or Public PAIR. Status information for unpublished

applications is available through Private PAIR only. For more information about the PAIR

system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR

system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Phuong Phu
Primary Examiner
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